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# CANADIAN NORTH-WEST.

## FREE GRANTS TO SETTLERS.

Settlers can obtain free grants of land in the Canadian North-West upon the following conditions, viz.:—

1. By making entry and within six months thereafter erecting a habitable house and commencing actual residence upon the land, and continuing to reside upon it for at least six months in each year for three years, and doing reasonable cultivation during that period.

2. By making entry for the land, cultivating it for three years, so that at the end of that period not less than forty acres be under cultivation; residing for at least six months in each year during that time within a radius of two miles of the homestead, and erecting a house and residing in it upon the homestead for three months next preceding the application for patent.

3. By making entry and within six months from the date thereof, commencing the cultivation of the homestead, breaking and preparing for crop within the first year not less than five acres; cropping the said five acres, and breaking and preparing for crop not less than ten acres in addition, and erecting a habitable house before the expiration of the second year, and thereafter residing thereon at least six months in each year and cultivating the land for three years next prior to the date of the application for patent.

The only charge for a homestead of 160 acres is the entrance fee of ten dollars, in the case of forfeited pre-emptions, an additional fee of five dollars, and in case of cancelled homesteads, an additional inspection fee of ten dollars. Settlers have the right to pre-empt the adjoining quarter-section of 160 acres, if available, and within six months of completion of the homestead duties, may purchase the pre-emption at the price of Government lands at the time of making the entry. On failure to complete such purchase, the pre-emption may be opened for settlement on conditions stated in the 36th section of the Dominion Lands Act.

For further information the clauses of the Dominion Lands Act relating to homesteading are hereto appended.

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"32. Every person who is the sole head of a family, and every male who has attained the age of eighteen years, who makes application in the form "A" in the schedule to this Act, shall be entitled to obtain homestead entry for any quantity of land not exceeding one quarter-section, which is of the class of land open, under the provisions of this Act, to homestead entry; and such person shall at the same time as he obtains his entry declare under which of the conditions prescribed by clause thirty-eight of this Act he elects to hold the land affected by such entry."

2. Such person may also, in connection with such homestead entry, obtain at the same time, but not at a later date, a pre-emption entry for an adjoining unoccupied quarter-section, or part of a quarter-section, of land of the said class:

3. The entry for a homestead and for its attached pre-emption, if any, shall entitle the recipient to take, occupy and cultivate the land entered for, and to hold possession of the same to the exclusion of any other person or persons whomsoever, and to bring and maintain actions for trespass committed on the said land; the title to the land shall remain in the Crown until the issue of the patent therefor, and the land shall not be liable to be taken in execution before the issue of the patent:

4. The privilege of homestead and pre-emption entry shall only apply to surveyed agricultural lands; no person shall be entitled to such entry for land valuable for its timber, or for hay land, or for land on which there is a stone or marble quarry, or coal or other mineral having commercial value, or whereon there is any water-power which may serve to drive machinery, or for land which, by reason of its position, such as being the shore of an important harbor, bridge site or canal site, or being either an actual or prospective railway terminus or station, it is in the public interest to withhold from such entry. 46 V., c. 17, s. 27.

34. Every person applying for homestead entry shall appear and make affidavit before the local agent, or, in his absence, the senior clerk performing his duties, according to the form B, C, or D in the schedule to this Act, as the circumstances of the case require; and upon filing such affidavit with such local agent, or senior clerk, and on payment to him of an office fee of ten dollars, such persons shall receive a receipt from the local agent, or senior clerk, according to the form "E" in the schedule to this Act; and such receipt shall be a certificate of entry and shall be authority to the person obtaining it to take possession of the land described in it:

2. If a person who obtains homestead entry applies for and obtains at the same time a pre-emption entry, he shall pay to the local agent, or senior clerk, a further office fee of ten dollars, and shall receive therefor from him a receipt in like form, and having like effect to that prescribed for homestead entry:

3. The Minister of the Interior or the Dominion Lands Board, upon requisition, may authorize any person named therein to make a homestead entry or homestead and pre-emption entries, on behalf of any person signing such requisition and desiring to obtain such entry or entries:

4. The person so authorized shall, in order to obtain such entry or entries, make application in the form "F" in the schedule to this Act, on behalf of each of those whom he represents, and shall make an affidavit before the local agent, or, in his absence, the senior clerk performing his duties, according to the form G, H or J, in the schedule to this Act, as the circumstances of the case require; and shall pay for each homestead entry, and for each pre-emption entry, the office fee of ten dollars hereinbefore prescribed for such entry. 49 V., c. 27, s. 4.

36. Every person who has obtained homestead entry shall be allowed a period of six months from its date within which to perfect the entry, by taking, in his own person, possession of the land and beginning continuous residence thereon and cultivation thereof; and if the entry is not perfected within that period, it shall be void, and the land shall be open to entry by another person, or to other disposition under this Act by the Minister:

(2.) Provided, that every person who obtains entry on or after the first of September in any year, and whose term for perfecting the same expires before the first day of June following, shall be allowed an extension of time to the latter date within which to perfect his entry:

(3.) Provided further, that in the case of immigrants from elsewhere than the North American continent, the Governor in Council may extend the time for the perfecting of entry to twelve months from the date thereof. 46 V., c. 17, s. 31.

37. If a number of homestead settlers, embracing at least twenty families, with a view to greater convenience in the establishment of schools and churches, and to the attainment of social advantages of like character, ask to be allowed to settle together in a hamlet or village,

the Minister may, in his direction, vary or dispense with the foregoing requirements as to residence, but not as to the cultivation of each separate quarter-section entered as a homestead. 46 V., c. 17, s. 32.

38. At the expiration of three years from the date of his perfecting his homestead entry the settler, or in case of his death, his legal representatives, upon proving, to the satisfaction of the local agent, or, in his absence, the senior clerk performing his duties, that he or they, or some of them have resided upon and cultivated the land during the said term of three years, shall be entitled to a patent for the land, if such proof is accepted by the Commissioner of Dominion lands, or the land board; but the patent therefor shall not issue to any person who is not a subject of Her Majesty by birth or naturalization:

(2.) In the case of a settler who obtains homestead entry for land occupied by him previous to the survey thereof, in the manner hereinbefore mentioned, residence upon and cultivation of the land for the three years next preceding the application for patent shall, for the purpose of the issue of patent, be held equivalent to that prescribed in the foregoing sub-clause, if such residence and cultivation are otherwise in conformity with the provisions of this Act:

(3.) Every person who proves that he has resided on the land for which he has homestead entry for twelve months from the date of his perfecting his entry therefor, and that he has brought under cultivation at least thirty acres thereof, may, before the expiration of the three years defined in sub-clause one of this clause, obtain a patent by giving the Government price at the time for the land:

(4.) Proof of residence, erection of a habitable house and cultivation, required by this clause, shall be made by the claimant by affidavit, and shall be corroborated by the evidence on oath of two disinterested witnesses, resident in the vicinity of the land to which their evidence relates, and shall be subject to acceptance as sufficient by the Commissioner of Dominion lands or the land board; and such affidavit shall be sworn, and such evidence given, before the local agent, or, in his absence, the senior clerk performing his duties, or some other person named for that purpose by the Minister:

(5.) If, in connection with the homestead entry, the settler has heretofore obtained, or hereafter obtains, a pre-emption entry in accordance with the provisions of this Act, he shall, on becoming entitled to a patent for his homestead, be also entitled to a patent for the land included in such pre-emption entry, on payment of the price fixed, in accordance with the provisions of this Act, by the Governor in Council; but such pre-emption right, if not exercised and payment made within six months after the settler becomes entitled to claim a patent under his homestead entry, shall be forfeited; and the land included in such pre-emption entry may be opened for homestead entry by the Minister of the Interior, but on the following conditions only:—

"(*a.*) Any person obtaining homestead entry for the land included in such forfeited pre-emption entry shall be required to perfect his entry by erecting a habitable house thereon, and commencing actual residence in said house within six months of the date of such homestead entry, and shall be required to continue such residence for at least six months in each of the three years next succeeding;

"(*b.*) Before an application for patent for such homestead shall be accepted as satisfactory by the local agent, or the senior clerk performing his duties, the applicant shall be required to prove to the satisfaction of the said local agent, or the senior clerk performing his duties, that he has made permanent improvements on the said land to the aggregate value of not less than one dollar and fifty cents per acre:"

6. In addition to the cases hereinbefore mentioned, any person claiming a patent under a homestead entry, or under a homestead and pre-emption entry, shall be entitled thereto, upon proving—

(*a.*) That he has erected upon his homestead a habitable house, and has *bonâ fide* resided therein for not less than three months next prior to the date of his application for his patent;

(*b.*) That for the period between the time within which, by clause thirty-six of this Act, it is provided that a person who has obtained a homestead entry shall perfect his entry, and the commencement of his said three months' residence upon his homestead, he has been *bonâ fide* resident within a radius of two miles from his homestead quarter-section;

(*c.*) That within the first year after the date of his homestead entry he broke and prepared for crop not less than ten acres of his homestead quarter-section;

(*d.*) That within the second year he cropped the said ten acres and broke and prepared for crop not less than fifteen acres in addition, making not less than twenty-five acres;

(*e.*) That within the third year after the date of his homestead entry he cropped the asid twenty-five acres and broke and prepared for crop not less than fifteen acres in addition, making in all not less than twenty-five acres of the said homestead cropped, and fifteen acres in addition broken and prepared for crop, within three years of the date of perfecting his homestead entry;

And the residence described in this sub-clause shall be sufficiently fulfilled if the applicant has not been absent from his residence for more than six months in any one year:

(7.) Any person claiming a patent under a homestead entry or under a homestead and pre-emption entry shall also be entitled thereto upon proving to the satisfaction of the Commissioner of Dominion Lands or the Dominion Lands Board,—

(*a.*) That he perfected his homestead entry by commencing the cultivation of the homestead within six months from the date of his homestead entry, or if the entry was obtained on or after the first day of September in any year, before the first day of June following;

(*b.*) That within the first year after the date of his homestead entry he broke and prepared for crop not less than five acres of his homestead quarter-section;

(*c.*) That within the second year he cropped the said five acres, and broke and prepared for crop not less than ten acres in addition, making not less than fifteen acres in all;

(*d.*) That he erected a habitable house upon his homestead before the expiration of the second year after his homestead entry, and has *bonâ fide* resided therein and has cultivated the land for three years next prior to the date of his application for his patent;

(*e.*) That at the commencement of the third year after the date of his homestead entry, or previously, he commenced the residence on his homestead required by the next preceding paragraph of this sub-clause:

(8.) Every person who has obtained a homestead entry, and who purposes to apply for a patent for such homestead, shall give six months' notice in writing to the Commissioner of Dominion Lands of his intention to make such application, and shall produce evidence to the officer who is authorized to receive the application, that such notice has been duly given. 46 V., c. 17, s. 33;—47 V., c. 25, ss. 2 *and* 3;—49 V., c. 27, ss. 5 *and* 6.

"39. If it is proved to the satisfaction of the Minister:—

"(*a.*) That the settler has not resided upon and cultivated his homestead, except as herein provided, for at least six months in any one year; or—

"(*b.*) In case he has obtained his entry under and in accordance with sub-clause five of the next preceding clause, that he has failed to erect a habitable house and to commence actual residence in the same within six months of the date of such entry, and to continue such residence for at least six months in each of the three years next succeeding, or that he has failed to make permanent improvements on the land to the aggregate value of one dollar and fifty cents per acre within three years from the date of the perfecting of his entry; or—

"(*c.*) In case he has obtained his entry under and in accordance with the conditions prescribed by sub-clause six of the next preceding clause, that he has not been *bonâ fide* resident within a radius of two miles from his homestead quarter-section for at least six months in any one year, or has failed to break, prepare for crop, and crop, in each of the three years after obtaining his homestead entry, the areas of his homestead quarter-section mentioned in the said sub-clause, or has failed to erect upon his homestead a habitable house, and to *bonâ fide* reside therein for not less than three months next prior to the date of the application for patent; or—

"(*d.*) In case he has obtained his entry under and in accordance with sub-clause seven of the next preceding clause, that he has failed to perfect his homestead entry and make the cultivation of his homestead during the first and second years after the date of his entry prescribed by the said sub-clause, or that he has failed to erect a habitable house upon his homestead before the expiration of the second year after the date of his homestead entry, or that he has not *bonâ fide* resided in the said house and cultivated the said land for at least six months in each of the three years next prior to the date of his application for patent;

"The right to the land shall be forfeited, and the entry thereof shall be cancelled, and the settler so forfeiting his entry shall not be eligible to obtain another entry, except in special cases, in the discretion of the Minister."

40. In cases of illness, vouched for by sufficient evidence, or in the cases of immigrant settlers returning to their native land to bring their families to their homesteads, or in other special cases, the Minister may, in his discretion, grant an extension of time during which such settler may be absent from his homestead, without prejudice to his right therein; but the time so granted shall not be reckoned as residence. 46 V., c. 17, s. 34, *part.*

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